

OFFICE OF COLLECTIVE BARGAINING
BOARD OF CERTIFICATION

----- X

In the Matter of

LEGAL SERVICES STAFF ASSOCIATION,

DECISION NO. 46-74

Petitioner

DOCKET NOS. RU-340-72

-and-

RE-25-73

COUNCIL AGAINST POVERTY (HUMAN
RESOURCES ADMINISTRATION) and
COMMUNITY ACTION FOR LEGAL SERVICES,
INC., and the DELEGATE CORPORATIONS
OF CALS,

Respondents.

----- X

COUNCIL AGAINST POVERTY (HUMAN
RESOURCES ADMINISTRATION) and
COMMUNITY ACTION FOR LEGAL SERVICES,
INC., and the DELEGATE CORPORATIONS
OF CALS,

DOCKET NO. RE-40-74

Petitioners,

-and-

LEGAL SERVICES STAFF ASSOCIATION,

Respondent.

----- X

A P P E A R A N C E S:

Neil Lipton, Esq.
Scott Forman, Esq.
for the Employer

David Lansner, Esq.
for the Union

On October 29, 1973, the Board issued its Decision No. 85-73 in this case, certifying the Legal Services Staff Association as exclusive representative for the purposes of

collective bargaining of the employees of CALS and its delegate agencies except the employees as to whom there was an allegation by the City of managerial or confidential status, and as to those, the Board ordered a further hearing to determine their managerial or confidential status.

Following lengthy but unsuccessful attempts by the parties to agree on the issues remaining for determination, hearings were held on July 29 and August 7 and 14, 1974.

At the hearings, the parties again attempted to reach agreement, and the results of their efforts were embodied in a stipulation executed on August 14, 1974.

The personnel structure of CALS and its delegate agencies differs from the typical civil service classification structure mandated in most public employer agencies under the Board's jurisdiction. At CALS, employees in various titles perform duties which differ from the duties performed by other employees in the very same titles. The duties may vary from one office location to another or they may differ within a single location. For this reason, the Board will accept the stipulation of the parties regarding the managerial and confidential status of the employees of CALS and its delegate agencies.

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3.

We note that, by stipulation, the parties have attempted to include in the unit two employees who were heretofore excluded in Decision 85-73. The Administrative Officer and the Budget Director of CALS Central Administration were previously determined by the Board to be, respectively, managerial and confidential. We shall not disturb that finding.

Pursuant to the powers vested in the Board of Certification by the New York City Collective Bargaining Law, it is hereby

CERTIFIED, that Legal Services Staff Association is the exclusive representative for the purposes of collective bargaining of the employees of CALS and its delegate agencies in the following titles: Reginald Heber Smith Fellows, Director of Law Reform, Director of Community Development, Director of Litigation, Director of Matrimonial nit, Senior Attorney, Staff Attorney(including specialties), Social Worker, Assistant Social Worker, Legal Services Assistant, Investigator, Staff Secretary, Executive Secretary, Clerk Messenger, Community Aide, Coordinating Attorney, Law Students paid 100% out of the budget of CALS, Law Clerk, Housing Consultant, Assistant Bookkeeper; and it is further

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4.

DETERMINED, that the following employees are excluded from the unit as managerial or confidential:

CALS Central Administration

| | |
|---|--------------|
| Chief Counsel | Managerial |
| Special Asst. to Chief Counsel | Confidential |
| Assistant General Counsel* | Managerial |
| Director of Litigation* | Managerial |
| Administrative Officer | Managerial |
| Internal Auditor | |
| Budget Director | |
| Executive Administrator | |
| Comptroller | Managerial |
| Secretary to Assistant General Counsel | Confidential |
| Secretary to Director of Litigation & Training | Confidential |
| Executive Secretary to General Counsel | Confidential |
| Administrative Assistant | Confidential |
| Bookkeeper | Confidential |
| Assistant Bookkeeper | Confidential |

MFY Legal Services, Inc.

| | |
|--|--------------|
| Director | Managerial |
| Executive Administrator | Managerial |
| Associate Director | Managerial |
| Managing Attorney | Managerial |
| Director of Social Work** | Managerial |
| Executive Secretary to Director | Confidential |
| Executive Secretary to Associate Director | Confidential |

Harlem Assertion of Rights

| | |
|---|--------------|
| Chief Counsel*** | Managerial |
| Managing Attorney | Managerial |
| Director of Litigation | Managerial |
| Executive Secretary to Chief Counsel | Confidential |

*These employees were called "Senior Attorney" in
Dec. No. 85-73.

**This employee was called "Social Worker" in Dec. No. 85-73.

***This employee was called "Executive Director" in
Dec. No. 85-73.

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5.

Manhattan Legal Services

| | |
|--|--------------|
| Attorney-in-Charge | Managerial |
| Executive Secretary to Attorney-in-Charge | Confidential |

Queens Legal Services, Inc.

| | |
|---|--------------|
| Project Director | Managerial |
| Managing Attorney* | Managerial |
| Executive Secretary to Project Director | Confidential |
| Executive Secretary to Managing Attorney | Confidential |

Bronx Legal Services, Inc.

| | |
|---|--------------|
| Project Director* | Managerial |
| Managing Attorney | Managerial |
| Executive Secretary to Managing Attorney | Confidential |
| Executive Secretary to Project Director | Confidential |

Bedford Stuyvesant Legal Services, Inc.

| | |
|--|--------------|
| Executive Director | Managerial |
| Director of Community Development | Managerial |
| Director of Law Reform Administrator | Managerial |
| Executive Secretary to Project Director | Confidential |

*This employee was called "Attorney-in-Charge" in
Dec. No. 85-73.

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6.

Brooklyn Legal Services, Inc. "A" and "B"

| | |
|---|--------------|
| Attorney-in-Charge | Managerial |
| Director of Landlord and Tenants Unit | Managerial |
| Senior Attorney | Managerial |
| Managing Attorney | Managerial |
| Executive Secretary to Senior Attorney-in-Charge | Confidential |
| Executive Secretary to Managing Attorney | Confidential |
| Executive Secretary to Attorney- in-Charge | Confidential |

DATED: New York, N.Y.
September 9, 1974

ARVID ANDERSON
CHAIRMAN

ERIC J. SCHMERTZ
MEMBER

WALTER L. EISENBERG
MEMBER